

AMENDED IN ASSEMBLY APRIL 1, 2002
AMENDED IN ASSEMBLY MARCH 12, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1836

Introduced by Assembly Member Cardoza

January 24, 2002

An act to add Division 14.7 (commencing with Section 31900) to the Food and Agricultural Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 1836, as amended, Cardoza. Animals.

Under existing law, local agencies may agree to jointly exercise their powers, as specified. Under existing law, cruelty to animals, and many related forms of conduct are unlawful. Under existing law, dogs are required to be licensed, and counties may provide for the licensing of cats, with license fees going to specified animal-related purposes.

This bill would state findings and declarations of the Legislature relating to high-volume animal cruelty arrests, and their impacts on the animal care and shelter systems, and on pet owners. It would state the Legislature's intent to encourage local agencies to form a joint powers agency or otherwise agree to alleviate the problems associated with high-volume animal cruelty arrests, including imposing a \$1 surcharge on dog and cat licenses in member jurisdictions to support these efforts, as specified. It would provide that money collected from dog license fee surcharges for this purpose would not be subject to the restrictions on spending dog license fee money provided in existing law.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Division 14.7 (commencing with Section 31900) is added to the Food and Agricultural Code, to read:

DIVISION 14.7. HIGH VOLUME ANIMAL CRUELTY
PROSECUTION

31900. (a) The Legislature finds and declares that animals are sometimes mistreated in homes and businesses throughout the state, and that prosecution of animal abuse cases is necessary to discourage and punish animal cruelty. The Legislature recognizes that successful prosecution of cases that involve a large number of mistreated animals is complicated by the extreme burden to local agencies caused by the need to maintain the animals as evidence, and provide those animals proper care. The Legislature further finds that these cases may involve hundreds of animals, usually malnourished dogs and cats from unsanitary and illegal breeding mills. These animals may require immediate and expensive veterinary care and shelter from an agency that may already have committed all of its relevant resources to other needy animals.

(b) The Legislature recognizes that cooperation among public animal service agencies has facilitated the filing and prosecution of these cases, and that mutual assistance agreements have enabled many animals recovered from large operations to receive needed shelter and care. It is the intent of the Legislature to support these efforts by authorizing a mechanism for the distribution of funds to appropriate agencies to assist in the care of animals recovered in high-volume animal cruelty arrests.

(c) The Legislature finds and declares that pet owners receive a particular benefit from having available an unstressed animal shelter and public animal health system, and from the prosecution and regulation of those who mistreat animals. The Legislature finds that funding a program to handle the stress on that system caused by high volume animal cruelty arrests from animal license fees is therefore appropriate.

1 31901. For purposes of this division, “high volume animal
2 cruelty cases” shall refer to cases involving animal cruelty,
3 including, but not limited to, animal fighting, puppy mills, animal
4 collection, or similar cases, that pose a hardship to local animal
5 services resources in light of the nature and number of animals
6 seized.

7 31902. It is the intent of the Legislature to encourage the
8 development of a memorandum of understanding or a joint powers
9 agreement between the local agencies that provide animal
10 services, which would do all of the following:

11 (a) Provide for all member jurisdictions to collect an additional
12 fee of one dollar (\$1) for each dog or cat license for purposes of
13 assisting California public agencies, and private entities
14 contracting with those public agencies, dealing with the animal
15 health and shelter exigencies of high volume animal cruelty cases.
16 This fee shall not be subject to the reduction provided for spayed
17 or neutered dogs or cats pursuant to Section 30525, 30804.5,
18 31751.5, or 31765. ~~“High volume animal cruelty cases” for~~
19 ~~purposes of this section shall refer to cases involving animal~~
20 ~~cruelty, including, but not limited to, animal fighting, puppy mills,~~
21 ~~animal collection, or similar cases, that pose a hardship to local~~
22 ~~animal services resources in light of the nature and number of~~
23 ~~animals seized. 31751.5, or 31765.~~

24 (b) Provide a grant and assistance program to distribute funds
25 and other resources to agencies facing extraordinary resource
26 shortfalls due to high-volume animal cruelty cases. This program
27 may include, but is not limited to:

28 (1) Funds for animal shelter and health care costs.

29 (2) Agreements for mutual assistance in the placement of
30 recovered animals, short term and long term.

31 (3) Training to prepare for high-volume intake through state
32 humane academies certified by the Commission on Peace Officers
33 Standards and Training, or grants to provide appropriate personnel
34 with that training.

35 (4) Funds for spaying and neutering animals recovered in
36 high-volume cases to encourage long-term placement.

37 (5) Funds for contracting with nonprofit entities for
38 appropriate purposes consistent with mitigating the animal health
39 and shelter exigencies of high volume animal cruelty cases in
40 California.

1 (c) Provide for an advisory role for groups like the State
2 Humane Society of California, the California Veterinary
3 Association, the California Animal Control Directors Association,
4 and the Humane Society of the United States in the grant process
5 and the planning and provision of training programs.

6 (d) Provide for any other animal care needs particular to
7 high-volume animal cruelty cases.

8 31904. Any license surcharge fees collected to fund a joint
9 powers agreement or memorandum of understanding as provided
10 for in Section 31902 shall not be subject to the limitations on the
11 expenditure of dog license fees provided in Section 30652.

